



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Rhodes et al.** § Art Unit: **2168**
 Serial No.: **10/734,864** §
 Filed: **December 12, 2003** § Examiner: **SOMMERFELD**
 For: **Computer backups using un-used disk space** § Attorney Docket: **RPS920030192US1**
 §
 § I, the undersigned Joseph P. Lally, hereby certify that this correspondence is
 § being facsimile transmitted to the USPTO or deposited with the US Postal
 § Service with sufficient postage as first class mail in an envelope addressed to:
 § MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450,
 § Alexandria, VA 22313-1450.
 §
 § November 30, 2006 §
 § Date §
 § Signature §

RESPONSE TO OFFICE ACTION DATED MAY 31, 2006

MAIL STOP AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Dear Sir:

This paper is submitted in response to the office action dated May 31, 2006 (the "Office Action") in the above referenced patent application to address the issues raised therein and to highlight why the case is believed to be in condition for allowance.

The Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

A petition extending the period for response is submitted herewith.